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14 **UNITED STATES DISTRICT COURT**
15 **DISTRICT OF NEVADA**

16 DIANA HOLMES,

17 Plaintiff,

18 vs.

19 BELLAGIO, LLC, a Nevada limited liability
20 company; MGM RESORTS
21 INTERNATIONAL, a foreign corporation; et
22 al.,

23 Defendants.

Case No.: 2:20-cv-00576-RFB-BNW

**STIPULATION, REQUEST, AND
ORDER TO CONTINUE EARLY
NEUTRAL EVALUATION DATE**

[First Request]

24 IT IS HEREBY STIPULATED by and among Plaintiff Diana Holmes (“Plaintiff”),
25 Defendant Bellagio, LLC (“Bellagio”) and Defendant MGM Resorts International (“MGMRI”)
26 (collectively, the “Parties”), by and through their respective undersigned counsel, that the Parties
27 request a continuance of the Early Neutral Evaluation (“ENE”), currently scheduled for June 3,
28 2020 at 10:00 am before Magistrate Judge Cam Ferenbach, to a later date not before July 31, 2020.

This continuance is requested because of state-wide and national events involving the
Coronavirus (COVID-19) pandemic, including the complete shutdown of Defendants’ operations.
Plaintiff’s Complaint was served upon Defendants on March 17, 2020. *See* ECF No. 1, Exhibits A
and B. On March 18, 2020, Governor Sisolak issued COVID-19 Declaration of Emergency
Directive 002 directing all Nevada gaming establishments, including Bellagio and all gaming

establishments affiliated with MGMRI, to close.¹ This unprecedented disruption of Defendants' businesses has impacted Defendants' preparations for the ENE. Additionally, at the time of the currently-scheduled ENE, Bellagio expects to be in the midst of partially reopening under new public health and safety guidelines, which will be another unprecedented undertaking.

Additionally, due to personal medical reasons, counsel for Defendant will be unavailable on multiple business days between the date of the filing of this stipulation and June 3, 2020, which will impact Defendants' ability to prepare for the ENE.

The Parties anticipate and agree that the requested continuance will enable the ENE to be more productive and meaningful. For the above-stated reasons, good cause exists to continue the ENE until on or after July 31, 2020. This is the first request for a continuance of the ENE by the Parties.

DATED this 20th day of May 2020.

JONES LOVELOCK

MGM RESORTS INTERNATIONAL

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IT IS HEREBY ORDERED that the ENE is RESCHEDULED to August 4, 2020, at 10:00 AM. The confidential statement is due by 4:00 PM, July 28, 2020.

ORDER

IT IS SO ORDERED.

If a party prefers to appear by video conference, the party must notify chambers (702-464-5540) of that decision by July 28, 2020. If a party is appearing by video conference, it is the responsibility of that party to set-up and coordinate with chambers the video conference for the ENE and that party must be prepared to do a test run of the video conference with chambers on July 29, 2020. All else as stated in Orders (ECF Nos. 13 and 25) remains unchanged.



UNITED STATES MAGISTRATE JUDGE

5-20-2020

DATE

¹ See http://gov.nv.gov/News/Emergency_Orders/2020/2020-03-18_-_COVID-19_Declaration_of_Emergency_Directive_002/.